

REMARKS

Claims 1-28 are all the claims pending in the application.

I. INFORMATION DISCLOSURE STATEMENT FILED MARCH 3, 2004

The Examiner notes that the "listing of the references included with the Information Disclosure Statement submitted March 3, 2004 indicates that translations of each of the Japanese Patent Documents were submitted, however, the Examiner did not receive complete translations of the Japanese references."

It is respectfully submitted that the SB/08 submitted with the IDS on March 3, 2004, inadvertently indicated that translations were being submitted. Instead, the SB/08 should have stated that English-language abstracts were being submitted, because the abstracts submitted with the March 2004 IDS constitute concise statements of relevance for JP-A- Nos. 2001-256631, 2003-6830 and 5-173267.

II. RESPONSE TO REJECTION UNDER 35 U.S.C. § 103

Claims 1-2, 9, 12, 15, 18, 21, and 24 are rejected under 35 U.S.C. § 103(a) as being obvious over each of U.S. Patent No. 7,066,978 ("Waki"), U.S. Patent No. 6,994,895 ("Hattori '895") or U.S. Patent Application Publication No. 2004/0033357 ("Hattori '357") alone or each taken in view of U.S. Patent No. 6,827,968 ("Naoe").

Applicants respectfully traverse the rejection.

Without conceding the merits of the rejection, it is respectfully submitted that the cited references be removed as prior art.

Waki is effective as a §102(e) reference as of its February 19, 2003 filing date and the application of Waki is a reference under 35 U.S.C. § 102(a) as of its publication date of January 22, 2004.

Hattori '895 is effective as a §102(e) reference as of its July 1, 2003 filing date and the application of Hattori '895 is a reference under 35 U.S.C. § 102(a) as of its publication date of January 8, 2004.

Hattori '357 is effective as a §102(e) reference as of its May 30, 2003 filing date and a §102(a) reference as of its publication date of February 19, 2004.

Naoe is effective as a §102(e) reference as of its June 24, 2003 filing date.

Applicants submit that Waki, Hattori '895, Hattori '357, Naoe, and the present invention were commonly owned at the time the present invention was made. Accordingly, Applicants respectfully submit that Waki and Hattori '895 are disqualified as prior art under 35 U.S.C. § 102(e) via 35 U.S.C. § 103(c).

In addition, Applicants submit herewith a sworn English translation of the priority documents JP 2003-059045 and 2003-062085 supporting the elements of claims 1-2, 9, 12, 15, 18, 21, and 24 to remove the published application of Waki, the published application of Hattori '895, and Hattori '357 as a §102(a) reference.

Claims 1-2, 9, 12, 15, 18, 21 and 24 of the present application are supported, for example, on pages 3-5 of the translation of JP 2003-059045 and pages 3-5 of the translation of 2003-062085.

In view of the above, it is respectfully submitted that the references are not prior art under 35 U.S.C. § 102 and withdrawal of the rejection is respectfully requested.

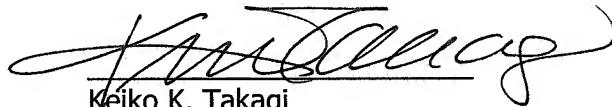
III. CONCLUSION

For the foregoing reasons, reconsideration and allowance of the application is respectfully requested.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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